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EASTERN DISTRICT OF TEXAS

WILLIE FRANKLIN,	§	
Plaintiff,	8 8 8	
versus	8 8	CIVIL ACTION NO. 1:12-CV-393
WARDEN ALFORD, et al.,	§ §	
Defendants.	§ §	

MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Willie Franklin, an inmate confined within the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983 against Warden Alford, Major Thomas and Denise Dennis.

The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning this matter. The magistrate judge recommends this lawsuit be dismissed for failure to state a claim upon which relief may be granted.

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiff filed an amended complaint, which the court construes as objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED.R.CIV.P. 72(b). After careful consideration, the court concludes the objections are without merit. For the reasons set forth by the magistrate judge, plaintiff's allegations that defendant Alford failed to properly respond to a grievance and that he was improperly deprived of his property do not state a violation of a constitutional right.

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

Signed this date.

May 10, 2013

Marcia a. Crone.
MARCIA A. CRONE

UNITED STATES DISTRICT JUDGE